

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3165 of 2018

Arising Out of PS.Case No. -191 Year- 2017 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Dheeraj Mishra S/o Harendra Mishra, R/o village- Matauli, P.S.-
Sidhiwaliya, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate.

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-02-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mehsi P.S.**

Case No. 191 of 2017 instituted for the offence under Sections
363, 366 and 34 of the Indian Penal Code.

It is alleged in the written report filed by the informant that on 22.6.2017 his wife along with his two daughters had gone with this petitioner and co-accused Niraj Mishra. The wife of the informant took Rs.20,000/- cash and jewellery with her. She went with this petitioner on pretext to see her mother who was suffering from illness. It is alleged that at Mehsi Station, the wife of the informant left her two daughters and went along with the petitioner. She told her daughter that she will come, but she did not return with this petitioner. Both the daughters returned



back to home. The informant inquired the matter in his Sasural and learnt that his wife has not come with this petitioner. Thereafter, the instant case has been lodged.

The wife of the informant has given her statement under Section 164 Cr. P.C. stating that her husband (informant) was giving pressure to her to indulge in sexual activity with others for earning money. She has further stated in her statement that nobody has kidnapped her.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Mehsi P.S. Case No. 191 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-VI, Motihari, East Champaran**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and



reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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